

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MILAGROS IMPORTS LIMITED, a
New York corporation,

Plaintiff,

v.

PROGRESS VANTAGE LIMITED,
a foreign corporation,

Defendant.

**DECLARATION OF VANESSA
SORIANO POWER
IN SUPPORT OF MOTION FOR
SUMMARY JUDGMENT**

07-CV-3215 (SHS)

VANESSA SORIANO POWER, hereby declares the truth of the following under penalty of perjury, pursuant to 28 U.S.C. § 1746:

1. I am a member of the firm of Stoel Rives LLP, counsel for Plaintiff in the above-captioned action. I have been admitted to practice *Pro Hac Vice* in this Court and I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Plaintiff's Motion for Summary Judgment.

2. Attached hereto at Exhibit 1 is a true and correct copy of relevant excerpts from the Deposition of Wai "William" Wong.

3. Attached hereto at Exhibit 2 is a true and correct copy of Defendant and Counterclaim-Plaintiff Progress Vantage Limited's Reply to the Second Discovery Request of Plaintiff-Counterclaim-Defendant Milagros Limited.

4. Attached hereto at Exhibit 3 is a true and correct copy of a document entitled "MIL Order From 2003-2006," about which William Wong testified in his deposition.

5. Attached hereto at Exhibit 4 is a true and correct copy of relevant excerpts from the Deposition of Chuk Hung Lin ("Lynn Wong").

6. Attached at Exhibit 5 is a true and correct copy of Progress Vantage Limited's application for registration of the "BETTA" mark based on use.

7. Attached at Exhibit 6 is a true and correct copy of the Official Gazette dated February 6, 2007 for trademark applications in the United States showing that Progress Vantage Limited's application for registration of the "BETTA" mark is limited to "house slippers."

8. Proceedings by Progress Vantage Limited and Milagros before the Trademark Trial and Appeal Board have been stayed pending resolution of this case.

9. Attached at Exhibit 7 is a true and correct copy of a March 11, 2008 letter I received from Benjamin Felcher Leavitt, counsel for Progress Vantage Limited.

SIGNED this 17th day of March 2008 at Seattle, Washington.



Vanessa Soriano Power